

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

BRUCE RAIFFE

Plaintiff,

Civil Action No. 6:08-CV-295

vs.

ALPIN HAUS SKI SHOP, INC.

Defendant.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

DAY, PITNEY LAW FIRM
200 Campus Drive
Florham Park, NJ 07932

ANTHONY J. MARCHETTA, ESQ.

FOR DEFENDANT:

HISCOCK, BARCLAY LAW FIRM
50 Beaver Street
Fifth Floor
Albany, NY 12207-2830

LINDA J. CLARK, ESQ.
DAVID M. COST, ESQ.

U.S. DISTRICT JUDGE DAVID N. HURD

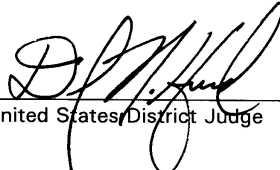
JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT

I have been informed by Magistrate Judge George H. Lowe that the parties have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, I find that it is not necessary for this action to remain on the court's active docket.

It is therefore hereby

ORDERED, as follows:

- 1) This action is dismissed, with prejudice, except as set forth below.
- 2) The court will retain complete jurisdiction to vacate this order and to reopen the action within three months from the date of this order upon cause shown that the settlement has not been completed and further litigation is necessary.
- 3) The Clerk shall forthwith serve copies of this judgment upon the parties and/or their attorneys appearing in this action.



United States District Judge

Dated: July 2, 2008
at Utica, New York